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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,095	06/02/2005	Masao Kato	P27994	8521

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GREENBLUM & BERNSTEIN, P.L.C.  
1950 ROLAND CLARKE PLACE  
RESTON, VA 20191

EXAMINER
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ALGIBHAH, HAMZA N

ART UNIT	PAPER NUMBER
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2448

NOTIFICATION DATE	DELIVERY MODE
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11/24/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/537,095	<b>Applicant(s)</b> KATO ET AL.	
	<b>Examiner</b> HAMZA ALGIBHAH	<b>Art Unit</b> 2448	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Response to Amendment***

1. This communication is responsive to the amendment filed on August 09, 2010.
2. **Claims 1, 4-5 and 7** have been amended.
3. **Claims 10-12 have been added.**
4. **Claims 1-12** are pending.
5. **Claims 1-12** are rejected.

The 112 rejections raised in the previous action have been overcome by applicant's amendments; therefore, they are hereby withdrawn.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claim 12 is** rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 11 recites the limitation "a session set by its huge" in line 2 of the claim. It is not clear to examiner what it meant by the term "its huge".

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. ***Claims 1-8 and 10-12 are rejected*** under 35 U.S.C. 103(a) as being unpatentable over Choung et al (Patent. No.: 6,295,550 B1) and further in view of Creamer et al (Pub. No.: US 2003/0233239 A1).

***As per claim 1, Choung discloses: a transmitting terminal apparatus in a communication system that performs a communication using a session set between the transmitting terminal apparatus and a receiving terminal apparatus, through a session control server that performs hierarchical control of session, including the call session*** (Choung, Fig 3) wherein the transmitting terminal apparatus can be the terminal 102.1 and the session control server can be item 116 and the receiving terminal apparatus can be terminal 102.2, ***the transmitting terminal apparatus comprising:***

- ***a session opening request signal transmitter that transmits, to the session control server, a session opening request signal for requesting opening of the call session with a receiving terminal apparatus*** (Choung, Fig 7-8, col 7 lines: 23-27) wherein the session opening request signal transmitter as

claimed can be the transmitter responsible for transmitting a request to send session list to the control server;

- ***a reservation process setting request signal transmitter that, while the session call is open, transmits, to the session control server, a reservation process setting request signal for requesting the setting of a reservation process*** (Choung, Fig 9-10, 12, col 9 lines: 5-32) wherein the reservation process setting request signal transmitter as claimed can be the transmitter responsible for transmitting the session list which includes information related to the leading terminal schedule and information related to establishing collaborative browsing (the reserved process) by a new leading terminal according to the schedule information, ***the reservation process setting request signal instructing the session control server that execution of the reservation process is to be triggered by closing the call session*** (Choung, col 11 lines: 10-20). The execution of the reservation process is triggered by closing the call session since the executing of the collaborative browsing by the new leading terminal is triggered to start after ending the current leading terminal collaborative browsing; ***and***
- ***a session closing request signal transmitter that transmits, to the session control server, a session closing request signal for requesting the closing of the call session; wherein executing of the reservation process is preformed upon closing of the call session*** (Choung, Fig 12, steps 1214); wherein the closing request signal transmitter as claimed can be the transmitter responsible for ending the call session. Choung does not specifically disclose

that the ***transmitting terminal apparatus performs voice communication using the call session set between the transmitting terminal apparatus and a receiving terminal apparatus while the call session is open.*** However Creamer teaches a voice browser configured to process voice markup language and includes a telephony application that can interact with a voice processing system (Creamer, abstract, paragraph 0006-0007). Thus the combination of Choung and Creamer discloses that the transmitting terminal apparatus performs voice communication using the call session set between the transmitting terminal apparatus and a receiving terminal apparatus while the call session is open.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to incorporate Creamer teaching of using a voice browser that includes telephony application to into Choung method because this would have provided a way to enable the session members of Choung to communicate with each other using voice communication and to start collaborate browsing audio based websites;

***As per claim 2, claim 1 is incorporated and Choung further discloses a session hierarchical operation requester that requests a change operation of a hierarchical relationship among a plurality of sessions that are open*** (Choung, Fig 12, col 11 lines:1-21); Choung teaches the process of changing the leading terminal status by selecting the next available leading terminal which can be the process of changing operation of a hierarchical relationship among a plurality of opened sessions as claimed;

***As per claim 3, claim 2 is incorporated and Choung further discloses that said hierarchical relationship is specified by a session ID assigned to each of the plurality of sessions*** (Choung, Fig 8, col 7 lines: 1-5) wherein the session ID can be the session name which defines the session;

***As per claim 4, Choung further discloses a receiving terminal apparatus in a communication system that performs a communication using a call session set between a transmitting terminal apparatus and the receiving terminal apparatus through a session control server that performs hierarchical control of sessions, including the call session*** (Choung, Fig 3) wherein the transmitting terminal apparatus can be the terminal 102.1 and the session control server can be item 116 and the receiving terminal apparatus can be terminal 102.2, ***the transmitting terminal apparatus comprising:***

- ***a session opening request signal receiver that receives, from the session control server, a session opening request requesting the opening of the call session*** (Choung, Fig 6-7, col 2 lines: 4-6 );
- ***a session opener that opens the call session with the transmitting terminal apparatus according to the received session opening request*** (Choung, Fig 6-7, col 2 lines: 4-10);
- ***a reservation process execution request signal receiver that receives a reservation process execution request signal transmitted from the***

***session control server, according to a reservation process set by the transmitting terminal apparatus while the call session is open, an execution of the reservation process being triggered by closing of the call session; and a reservation process executer that executes the reservation process according to the received reservation process execution request signal; and*** (Choung, col 11 lines: 1-20);

- ***a session closing request signal receiver that receives a session control request signal transmitted from the session control server, according to a request of the closing of the call session of the transmitting terminal apparatus*** (Choung, Fig 12, steps 1214). Choung does not specifically disclose that the ***transmitting terminal apparatus performs voice communication using the call session set between the transmitting terminal apparatus and a receiving terminal apparatus while the call session is open***. However Creamer teaches a voice browser configured to process voice markup language and includes a telephony application that can interact with a voice processing system (Creamer, abstract, paragraph 0006-0007). Thus the combination of Choung and Creamer discloses that the transmitting terminal apparatus performs voice communication using the call session set between the transmitting terminal apparatus and a receiving terminal apparatus while the call session is open.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to incorporate Creamer teaching of using a voice browser that includes telephony application to into Choung method because this



would have provided a way to enable the session members of Choung to communicate with each other using voice communication and to start collaborate browsing audio based websites;

***As per claim 5, Choung further discloses a session control apparatus comprising:***

- ***a session opening request signal receiver that receives a session opening request requesting the opening of a call session between a transmitting terminal apparatus and a receiving terminal apparatus specified by the transmitting terminal apparatus*** (Choung, Fig 3) wherein the transmitting terminal apparatus can be the terminal 102.1 and the session control server can be item 116 and the receiving terminal apparatus can be terminal 102.2
- ***a reservation process setting request signal receiver that, while the call session is open, receives a reservation process setting request signal for requesting setting of a reservation process, an execution of the reservation process being triggered by closing of the call session that is open*** (Choung, Fig 9-10, 12, col 9 lines: 5-32);
- ***a session closing request signal receiver that receives a first session closing request signal for requesting the closing of the call session that is open*** (Choung, Fig 12, steps 1214);
- ***a hierarchy setter that sets a hierarchal relationship among a plurality of sessions, including the call session that are open according to***

***the received session opening request*** (Choung, Fig 12, col 11 lines:1-21);

Choung teaches the process of relating terminals as leading terminal and following terminals thus setting a hierarchal relationship among a plurality of sessions;

- ***a hierarchy updater that updates the set hierarchal relationship that is set, according to the received first session closing request signal,***

***wherein the connection between the transmitting terminal apparatus and the receiving terminal apparatus is disconnected by closing the call session, upon receiving the first session closing request signal*** (Choung,

Fig 12, col 11 lines:1-21); Choung teaches the process of changing the leading terminal status by selecting the next available leading terminal which can be the process of setting a hierarchal relationship among a plurality of opened sessions as claimed;

- ***a reservation process setter that, while the call session is open, sets a reservation process that is executed after the call session is closed, according to the received reservation process setting request signal***

(Choung, col 11 lines: 10-20). The execution of the reservation process is triggered by closing the call session since the executing of the collaborative browsing by the new leading terminal is triggered to start after ending the current leading terminal collaborative browsing;

- ***a reservation process executer that executes the reservation process, which is set while the call session was open, according to the received first session closing request signal, upon receiving the received***

**first session closing request signal** (Choung, col 11 lines: 20-25); **and wherein the reservation process executer start executing the reservation process upon closing of the call session** ((Choung, col 11 lines: 10-20). The execution of the reservation process is triggered by closing the call session since the executing of the collaborative browsing by the new leading terminal is triggered to start after ending the current leading terminal collaborative browsing. Choung does not specifically disclose that the **transmitting terminal apparatus performs voice communication using the call session set between the transmitting terminal apparatus and a receiving terminal apparatus while the call session is open**. However Creamer teaches a voice browser configured to process voice markup language and includes a telephony application that can interact with a voice processing system (Creamer, abstract, paragraph 0006-0007). Thus the combination of Choung and Creamer discloses that the transmitting terminal apparatus performs voice communication using the call session set between the transmitting terminal apparatus and a receiving terminal apparatus while the call session is open.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to incorporate Creamer teaching of using a voice browser that includes telephony application to into Choung method because this would have provided a way to enable the session members of Choung to communicate with each other using voice communication and to start collaborate browsing audio based websites;

***As per claim 6, claim 5 is incorporated and Choung further discloses a session hierarchical operation request signal receiver that receives a session hierarchical operation request signal for requesting a change operation of the hierarchical relationship among the plurality of sessions that are open; and a hierarchy changer that changes the hierarchical relationship according to the received session hierarchical operation request signal*** (Choung, Fig 12, col 11 lines:1-21); Choung teaches the process of requesting to change the leading terminal and changing the leading terminal status by selecting the next available leading terminal;

***As per claim 7, claim 5 is incorporated and Choung further discloses a storage that stores event operation control data that includes at least one reservation process in association with a call session, wherein the reservation process setter stores the reservation process in association with the call session that is open, in accordance with the received reservation process setting request signal*** (Choung, col 4 lines: 23-26, 33-35);

***As per claim 8, claim 7 is incorporated and Choung further discloses that the reservation process executer searches the event operation control data to retrieve the reservation process associated with the call session, upon receiving the first session closing request signal, and executes the retrieved reservation process*** (Choung, col 11 lines:1-21);

***As per claim 10, claim 1 is incorporated and Choung further discloses that the call session performs voice communication and a session set by execution of the reservation process is a non-voice communication*** (Creamer, abstract, paragraph 0006-0007);

***As per claim 11, claim 4 is incorporated and Choung further discloses that the call session performs voice communication and a session set by execution of the reservation process is a non-voice communication*** (Creamer, abstract, paragraph 0006-0007);

***As per claim 12, claim 5 is incorporated and Creamer further discloses that the call session performs voice communication and a session set by execution of the reservation process is a non-voice communication*** (Creamer, abstract, paragraph 0006-0007);

10. ***Claim 9 is rejected*** under 35 U.S.C. 103(a) as being unpatentable over Choung et al (Patent. No.: 6,295,550 B1) and further in view of Creamer et al (Pub. No.: US 2003/0233239 A1) and Hatakeyama (Pub. No.: US 2003/0065680 A1).

***As per claim 9, claim 1 is incorporated and Choung discloses that the reservation process setting request signal transmitter transmits the***

***reservation process setting request signal including the reservation process. Choung does not specifically disclose the reservation process setting request signal transmitter transmits a trigger event specifying that the reservation process is executed upon closing of the call session.***

However, Hatakeyama discloses that ***the reservation process setting request signal transmitter transmits the reservation process setting request signal including the reservation process and a trigger event specifying that the reservation process is executed upon closing of the call session***

(Hatakeyama, Fig 4, paragraph 0086-0089).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to incorporate Hatakeyama teaching of transferring trigger information as claimed into Choung method because this would have provided a way to notify in advanced the following terminals when the first leading terminal session will be ended;

### ***Response to Arguments***

11. Applicant's argument filed on 08/09/2010 has been fully considered but they are not persuasive. In remarks, the applicant argues in substance:

(1) Applicant argues that ***changing of the leading terminal always takes place prior to the ending of the session.***

(1) Examiner respectively disagrees.

The step of ending the session shown in fig 12 refers to ending the session of the collaborative browsing such that there will be no more leading terminal for the collaborative browsing. However the step 1218 which involves processing the change of the leading terminal inherently includes the step of ending the session the current leading terminal to start a new session for the new leading terminal as shown by fig 8 which shows the list of session wherein each session in the list is associated with a leading terminal schedule. Thus even though the changing of the leading terminal always takes place prior to the ending of the collaborative browsing session, the changing of the leading terminal always takes place after the ending of the current leading terminal session.

All of the other arguments are now moot in light of the new ground of rejection.

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAMZA ALGIBHAH whose telephone number is (571)270-7212. The examiner can normally be reached on Monday-Thursday, 7:30AM-5:00PM, EST, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571)272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HAMZA ALGIBHAH/

Examiner, Art Unit 2448



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/FIRMIN BACKER/

Supervisory Patent Examiner, Art Unit 2448